

AFFIDAVIT OF PUBLICATION

County of Duchesne,
STATE OF UTAH

I, Kevin Ashby on oath, say that I am the PUBLISHER of the Uintah Basin Standard, a weekly newspaper of general circulation, published at Roosevelt, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue such newspaper for 1 consecutive issues, and that the first publication was on the 18 day of November, 20 14, and that the last publication of such notice was in the issue of such newspaper dated the 18 day of November, 20 14, and that said notice was published on Utahlegals.com on the same day as the first newspaper publication and the notice remained on Utahlegals.com until the end of the scheduled run.



Publisher

Subscribed and sworn to before me on this

19 day of November, 20 14

by Kevin Ashby.



Notary Public



NOTICE OF HEARING, BEFORE THE BOARD OF OIL, GAS AND MINING, DEPART- MENT OF NATURAL RESOURCES, STATE OF UTAH

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTERS (Docket Nos. 2014-036, 2014-041, 2014-042, and 2014-044): (Docket Nos. 2013-011, 2014-036, 2014-040, 2014-041, 2014-042, 2014-043, and 2014-044):

NOTICE IS HEREBY GIVEN that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, December 10, 2014, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

THE HEARING WILL BE CONDUCTED as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq., Utah Code Ann. § 40-8-1 et seq., and Utah Code Ann. § 63G-4-101 through 601.

DOCKET NO.
2014-036 CAUSE
NO. 131-139 - In the
Matter of the Request
for Agency Action of
CRESCENT POINT
ENERGY U.S.
CORP. to expand
the ULT Waterflood
Project located in
Section 36, Town-
ship 3 South, Range
1 East, U.S.M.,
Uintah County, Utah,
to include adjacent
Sections 34 And 35,
Township 3 South,
Range 1 East, for
approval of Enhanced
And Secondary Re-
covery Operations in
the Green River and
Wasatch Formations
in said Sections 34
and 35, for author-
ity for Underground

2 on reverse →

Injection of Water, and certification as an enhanced recovery project.

THE PURPOSE OF THE PROCEEDING will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Expanding the existing ULT Waterflood Project, which is located in Section 36, Township 3 South, Range 1 East, U.S.M., Uintah County, Utah, to include adjacent Sections 34 and 35 ("the Subject Section(s)"), Township 3 South, Range 1 East, U.S.M.;

2. Approving enhanced and secondary recovery in the Green River and Wasatch Formations in said Sections 34 and 35;

3. Approving a plan of development and operations for enhanced and secondary recovery in the expanded project area;

4. Authorizing underground injection of water in the reservoir sands of the Green River and Wasatch Formations in Subject Sections 34 and 35;

5. Approving an injection pattern in the expanded project area based on the equivalent of 20-acre spacing;

6. Vacating the Board's Orders entered on September 26, 2007, in Cause No. 142-03, and on August 24, 2011, in Cause No. 142-05, as they affect the N½ of Subject Section 35 and suspending the Board's general well location and siting rules with respect to all of Subject Section 34 and the S½ of Section 35 with appropriate setbacks to the extent said rules are inconsistent with the proposed operations;

7. Authorizing the

regarding a Request for Agency Action that the Board enter an Order:

1. Pooling all interests in the drilling units established by the Board in its Order entered on September 27, 1978 in Cause No. 139-17, as modified by the Orders entered on April 17, 1985 in Cause No. 139-42, entered on June 18, 2007 in Cause No. 139-77, and entered on December 21, 2008 in Cause No. 139-84 (the 139-17, 139-42, 139-77 and 139-84 Orders collectively hereinafter the "Applicable Orders"), for the production of oil, gas and associated hydrocarbons from the Lower Green River-Wasatch formations, defined as:

The interval from the top of the Lower-Green River formation (TGR3 marker) to the base of the Green River-Wasatch formations (top of the Cretaceous), which base is defined as the stratigraphic equivalent of the Dual Induction Log depths of 16,720 feet in the Shell-Ute 1-18B5 well located in the S½NE¼ of Section 18, Township 2 South, Range 5 West, U.S.M., and 16,970 feet in the Shell-Brotherson 1-11B4 well located in the S½NE¼ of Section 11, Township 2 South, Range 4 West, U.S.M.,

(the "Subject Formations"), comprised of the entirety of Sections 8 and 9, respectively, Township 4 South, Range 6 West, USM, Duchesne County, Utah (the "Section 8 Drilling Unit" and the "Section 9 Drilling Unit," respectively, and referred to collectively as the "Drilling Units"). This Request includes the compulsory pooling of the interests of Falcon

("Croff") and Barry M. Smith as to subject Sections 8 and 9, and Deril Enloe Smith as to Section 9 only (hereinafter the "Consenting FP Parties");

2. Pooling the interests of all parties subject to the jurisdiction of the Board in the Section 8 Drilling Unit retroactively effective as of May 11, 2014, being the date of first production of the 11-8D-46 BTR Well, the first of the two wells drilled and currently producing upon the Section 8 Drilling Unit, including the compulsory pooling of the interests of the relevant Non-Consenting and Consenting FP Parties therein;

3. Pooling the interests of all parties subject to the jurisdiction of the Board in the Section 9 Drilling Unit retroactively effective as of May 5, 2014, being the date of first production of the 5-9D-46 BTR Well upon the Section 9 Drilling Unit, including the compulsory pooling of the interests of the relevant Non-Consenting and Consenting FP Parties therein;

4. Declaring the relevant Non-Consenting FP Parties as "non-consenting owners," as that term is defined in Utah Code Ann. §40-6-2(11), and as owners "deemed to have refused to bear their proportionate share of costs" in accordance with Utah Admin. Code Rule R649-2-9(1) as relating to both the 11-8D-46 BTR Well and the 7-8-46 BTR Well, the second well drilled and currently producing upon the Section 8 Drilling Unit;

5. Declaring the relevant Non-Consenting FP Parties as "non-consenting

(17.934955%) proportionately reduced to each of the relevant Non-Consenting FP Parties in the Section 8 Drilling Unit during the cost recovery period as provided in Utah Code Ann. §§40-6-6.5(6) and (8);

10. Providing for the payment of the weighted average fee landowner's royalty (17.779646%) proportionately reduced to each of the relevant Non-Consenting FP Parties in the Section 9 Drilling Unit during the cost recovery period as provided in Utah Code Ann. §§40-6-6.5(6) and (8);

11. Adopting the terms of the joint operating agreement ("JOA") attached hereto as Exhibit "A," and by this reference incorporated herein, to govern operations upon the Section 8 Drilling Unit to the extent not inconsistent with the foregoing, as between BBC, as Operator, and the relevant Non-Consenting and Consenting FP Parties, as Non-Operators (which, in all material aspects, is the same as the one previously submitted by BBC to said parties), as provided in Utah Code Ann. §40-6-6.5(2)(c);

12. Adopting the terms of the JOA attached hereto as Exhibit "B," and by this reference incorporated herein, to govern operations upon the Section 9 Drilling Unit to the extent not inconsistent with the foregoing, as between BBC, as Operator, and the relevant Non-Consenting and Consenting FP Parties, as Non-Operators (which, in all material aspects, is the same as the one previously submitted by BBC to said parties), as provided in Utah Code Ann. §40-6-6.5(2)(c);

13. Generally in-

Cause as follows:

The interval between the Garden Gulch top (TGR3) and approximately 500 feet into the Paleocene Wasatch, the stratigraphic equivalent of which is the interval between 4,919 feet and 7,526 feet on the log for the Finley Resources Ute 22-6A-4-1 Well, located in the SE¼NW¼ of Section 22, T4S, R1E, USM, Uintah County, Utah (API No. 43-047-53545),

comprised of each quarter-quarter section within Sections 13, 16, 21, 22, and the North half of 27, T4S, R1E, USM, Uintah County, Utah, and authorizing up to four (4) wells per each drilling unit.

2. Providing that no well may be located closer than 330 feet to a shared drilling unit/lease boundary line and no closer than 100 feet if the adjacent lands are within the same lease and have the same production interest owners, without an exception location approval in accordance with Utah Admin. Code Rule R649-3-3 (or subsequently enacted equivalent regulation);

3. Expressly ordering that Utah Admin. Code Rule R649-3-11(1.1) is inapplicable to any directionally drilled well on the drilling units so established as long as the productive intervals are within the set backs so established and with the caveat that, if an uphole completion closer than the set back is subsequently proposed, an exception location approval in accordance with Utah Admin. Code Rule R649-3-3 (or subsequently enacted equivalent regulation) will be required from the Board; and

4. Provide for such

South, Range 1 East, U.S.M. pursuant to U.C.A. § 40-6-6.5;

2. Apportioning production and the proportionate costs of drilling and operations, under terms that are just and reasonable, and assessing a risk compensation award (non-consent penalty) of 400% pursuant to Section 6.5(4)(d)(i) (D) of chapter 6 of title 40 of the Utah Code Annotated; and

3. Provide for such other and further relief as may be just and equitable under U.C.A. § 40-6-6.5.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 7th day of December, 2014. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Requests for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Division of Oil, Gas and Mining (the "Division") to approve well locations within the expanded project area on an increased well-density basis where such locations promote conservation and increase the ultimate recovery of oil or gas;

8. Certifying the Expanded ULT Waterflood Project as an Enhanced Recovery Project for purposes of the severance tax rate reduction provided by Section 59-5-102(7) of the Utah Code; and

9. Provide for such other and further relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than November 26, 2014. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

DOCKET NO. 2014-041 CAUSE NO. 139-125 – In the Matter of the Request for Agency Action of **BILL BARRETT CORPORATION** for an Order Pooling all Interests, including the Compulsory Pooling of the Interests of Certain Non-Consenting or Unlocatable Owners, in Two (2) Drilling Units established for the production of oil, gas and associated hydrocarbons from the Lower Green River-Wasatch Formations, comprised of all of Sections 8 and 9, respectively, Township 4 South, Range 6 West, USM, Duchesne County, Utah.

THE PURPOSE OF THE PROCEEDING will be for the Board to receive testimony and evidence

Royalties, LLC, as Executive Rights Owner ("Falcon"), Mark Smith, Rozel Smith Woolley, Mary Ann Arrington, Janiel Smith Hicks, Leland Smith, Wesley Smith, Thaniel Smith, Nathan Smith, Ethan Ben Smith, Carol Barney, Francis Lee Knapp, a/k/a Frank Knapp, Laura Macfarlane Twiss, Douglas Rhodes, Daniel Rhodes, Nancy Jane Rhodes, David Michael Rhodes and Helen T. Beaton as to subject Sections 8 and 9; and any and all parties not currently leased or participating in the wells described below, and claiming oil and gas ownership in Sections 8 and 9 by, through or under the Estates of the following deceased parties: Sara I. Tanner, Cloyd Goates, John R. Moritz, Frederick Blechmann, Clarice Blechmann, Hugh J. Hintze, Ernan H. Smith, Agnes S. Knapp, Henry A. Smith, Della S. Miller, Theodore Sam and Joseph Sam, (hereinafter referred to as the "Section 8 Unknown Heirs or Devises"); Deril Enloe Smith as to Section 8 only; Dorothy Shelton, a/k/a Dorothy Davis, a/k/a Dorothy Warren, Lisa Baum and Phillip Baum as to subject Section 9 only; and any and all parties not currently leased or participating in the wells described below, and claiming oil and gas ownership in Section 9 by, through or under the Estates of the following deceased parties: Grace S. Holroyd, Ruth S. Voorhies, Allen Dean Voorhies and Harold Shelton (also hereinafter referred to as the "Section 9 Unknown Heirs or Devises") (collectively hereinafter the "Non-Consenting FP Parties"); and Croff Oil Company, Inc.

owners," as that term is defined in Utah Code Ann. §40-6-2(11), and as owners "deemed to have refused to bear their proportionate share of costs" in accordance with Utah Admin. Code Rule R649-2-9(1) as relating to the 5-9D-46 BTR Well, currently producing upon the Section 9 Drilling Unit;

6. Declaring BBC, as Operator on behalf of itself, Eric O. Knapp, Croff, Crescent Point Energy U.S. Corp. ("Crescent Point"), QEP Energy Company ("QEP"), Rio Capital, Ltd., ("Rio Capital"), and EP Energy E&P Company, L.P. ("EPE"), as a "consenting owner," as that term is defined in Utah Code Ann. §40-6-2(4), as relating to said wells in the Section 8 Drilling Unit;

7. Declaring BBC, as Operator on behalf of itself, Eric O. Knapp, Deril Enloe Smith, Croff, Crescent Point, QEP, Rio Capital, and EPE, as a "consenting owner," as that term is defined in Utah Code Ann. §40-6-2(4), as relating to said well in the Section 9 Drilling Unit;

8. Providing for the recovery by BBC, as Operator, from the Non-Consenting FP Parties' respective shares of production of the costs set forth in Utah Code Ann. §40-6-6.5(4) as relating to the 11-8D-46 BTR, 7-8-46 BTR and 5-9D-46 BTR Wells (collectively the "Subject Wells"), including a non-consent penalty of 300% pursuant to Utah Code Ann. §40-6-6.5(4)(d)(i)(D), and estimated plugging and abandonment costs of \$75,000 for each well;

9. Providing for the payment of the weighted average fee landowner's royalty

including all such other terms and conditions as required under Utah Code Ann. §40-6-6.5; and

14. Providing for such other and further relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 26th day of November, 2014. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

DOCKET NO. 2014-042 CAUSE NO. 239-03 – In the Matter of the Request for Agency Action of **FINLEY RESOURCES INC.** for an Order establishing 40 Acre Drilling Units for the production of oil, gas and associated hydrocarbons from the Eocene Middle and Lower Green River and portions of the Paleocene Wasatch Transitional Formations underlying Sections 13, 16, 21, 22 and the N½ of Section 27, Township 4 South, Range 1 East, USM, Uintah County, Utah, and authorizing up to Four (4) producing wells on each such Drilling Unit so established.

THE PURPOSE OF THE HEARING will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Establishing 40-acre drilling units for the production of oil, gas and hydrocarbons from the Eocene Middle and Lower Green River and the upper 500 feet of the Paleocene Wasatch transitional formations, defined for purposes of this

other and further relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 26th day of November, 2014. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

DOCKET NO. 2014-044 CAUSE NO. 139-126 – In the Matter of the Request for Agency Action of **RIG II, LLC**, for an Order Force Pooling the Interests of all Owners refusing to agree to Lease Their Interests Or Otherwise Bear Their Proportionate Share Of The Costs Of Drilling Operations for the Pappadakis #15-24-21E Well in the Drilling Unit established by the Order in Cause No. 139-42, comprising Section 24, Township 2 South, Range 1 East, U.S.M., within the Greater Altamont/Bluebell Area, Uintah County, Utah, for the production of oil and gas from the Lower Green River and Wasatch Formations.

THE PURPOSE OF THE PROCEEDING will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Force pooling the interests of all owners who have refused to agree to lease or otherwise bear their proportionate share of the costs of drilling and operations for the proposed Pappadakis #15-24-21E Well in the Drilling Unit established by the Board's Order in Cause No. 139-42 comprising Section 24, Township 2

abilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 6th day of November, 2014.

STATE OF UTAH
BOARD OF OIL,
GAS AND MINING
Ruland J. Gill, Jr.,
Chairman

/s/ Julie Ann Carter
Board Secretary
1594 West North
Temple, Suite 1210
Salt Lake City,
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